



Advocates for Workplace Fairness

September 26, 2024

Via ECF

The Honorable Arun Subramanian
United States District Court for the Southern District of New York
500 Pearl Street, Courtroom 15A
New York, NY 10007

Re: *Bryant et al. v. Buffalo Exchange, Ltd.*, Case No. 23 Civ. 8286

Dear Judge Subramanian:

We represent Plaintiffs in the above-referenced matter. Together with Defendant, we write jointly to inform the Court that the parties have agreed to explore a resolution of this matter and have scheduled a private mediation session with mediator Michael Starr. In order to focus the parties' time and resources on settlement negotiations, the parties request that the Court stay all pending litigation deadlines.

The initial phase of discovery ended on September 13, 2024. ECF No. 47. Plaintiffs' Motion for Class Certification is due on October 11, 2024, with briefing to be completed on December 3, 2024. ECF No. 58. No hearings or conferences are currently scheduled. The parties believe that there is good cause for this Court to issue a temporary stay until after the mediation takes place. A stay will allow the parties the opportunity to focus their time, efforts, and resources on mediating the case. In the absence of a stay, the parties will expend significant resources on briefing Plaintiffs' class certification motion in the coming months.

The parties are presently scheduling the mediation session and anticipate that it will occur in early or mid-November. The parties propose filing a Joint Status Report within ten days following the date of the mediation, in which they will advise the court as to the status and results of the mediation and a proposed schedule for either submitting a settlement approval motion or, in the event no resolution is reached, briefing Plaintiffs' class certification motion.

This is the parties' first joint request to stay litigation deadlines.¹ We thank the Court for its attention to this matter and will provide the Court with further information as directed.

Respectfully submitted,

Michael C. Danna

¹ The parties previously jointly requested an extension of the discovery schedule, which was granted, ECF No. 47, and Defendant requested a stay of the litigation, which was denied, ECF No. 55.

The Court greatly appreciates the parties' efforts at settlement, but it does not stay litigation deadlines for the purposes of mediation or settlement discussions. If the parties have initial discussions (which they don't need to wait to have) and believe that there are great prospects of settlement, then the Court will reconsider. For now the application is denied.

SO ORDERED.

Arun Subramanian, U.S.D.J.
Date: September 27, 2024